

Colquitt	Lankford
Davis of Jasper	Lanning
Derden	London
England	Lucas
Fielden	McConnell
Graves	Moffett
Hamilton	Monkhouse
Harrell	Morris
Harris of Archer	Patterson
Huddleston	of Travis
Hull	Powell
Johnson of Ellis	Reed of Bowie
Jones of Angelina	Reed of Dallas
Jones of Atascosa	Roark
Jones of Wise	Ross
Keefe	Stocks
Keith	Tennant
Kelt	Tennyson
Kern	Thornberry
King	Westbrook
Langdon	Worley

Absent

Alexander	Leyendecker
Amos	McCracken
Bates	McFarland
Davison of Fisher	Nicholson
Davisson	Ragsdale
of Eastland	Rhodes
Harbin	Riddle
Harper	Sharpe
Herzik	Smith
Hoskins	of Matagorda
Knetsch	Smith of Tarrant
Leath	Stinson

Absent—Excused

Bond	Mays
Bradford	Metcalfe
Cagle	Newton
Callan	Oliver
Dean	Patterson of Mills
Farmer	Petsch
Fox	Quinn
Hanna	Sewell
Hardin	Stevenson
Heflin	Waggoner
Howard	Weldon
Loggins	Wood

The House, accordingly, at 12:35 o'clock p. m., adjourned until 10:00 o'clock a. m., next Monday, June 14.

APPENDIX

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, June 9, 1937.
Hon. R. W. Calvert, Speaker of the House of Representatives.
Sir: Your Committee on Engrossed Bills, to whom was referred
H. C. R. No. 12, Permitting both

Houses of the Legislature to stand adjourned from 12:00 noon today, until 10:00 a. m., Monday, June 14, 1937.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, June 10, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 12, Permitting both Houses of the Legislature to stand adjourned from 12:00 noon, today, until 10:00 a. m., Monday, June 14, 1937.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

NINTH DAY

(Monday, June 14, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Mr. Tennyson.

The roll of the House was called, and the following Members were present:

Adkins	Davisson
Alexander	of Eastland
Alsup	Deglandon
Amos	Derden
Baker	Dickison
Beckworth	England
Bell	Farmer
Blankenship	Felty
Boethel	Fielden
Bond	Fox
Boyer	Fuchs
Bradbury	Gibson
Bridgers	Graves
Broadfoot	Hamilton
Brown	Hankamer
Burton	Hanna
Cagle	Harbin
Callan	Hardin
Carssow	Harper
Cathey	Harrell
Celaya	Harris of Archer
Cleveland	Harris of Dallas
Colquitt	Harris of Dickens
Davis of Haskell	Hartzog
Davis of Jasper	Herzik
Davison of Fisher	Holland

Hoskins	Oliver
Howard	Palmer
Huddleston	Patterson
Hull	of Travis
Hyder	Petsch
Jackson	Powell
James	Prescott
Johnson of Ellis	Ragsdale
Johnson	Reed of Bowie
of Tarrant	Reed of Dallas
Jones of Angelina	Rhodes
Jones of Atascosa	Riddle
Jones of Wise	Roark
Keefe	Russell
Kelt	Rutta
Kenyon	Schuenemann
Kern	Sewell
King	Settle
Knetsch	Sharpe
Langdon	Shell
Lankford	Simpson
Lanning	Skaggs
Leath	Smith of Hopkins
Leonard	Smith
Leyendecker	of Matagorda
Little	Smith of Tarrant
Loggins	Stinson
London	Stocks
Lucas	Talbert
Mauritz	Tarwater
Mays	Tennant
McDonald	Tennyson
McFarland	Thornberry
McKee	Thornton
McKinney	Vale
Metcalfe	Waggoner
Moffett	Walker
Monkhouse	Weldon
Morris	Westbrook
Morse	Winfree
Newton	Wood
Nicholson	Worley

Absent

Bates	Dean
Bradford	Dollins

Absent—Excused

Cauthorn	Patterson of Mills
Heflin	Pope
Jones of Falls	Quinn
Keith	Reader
Mann	Ross
McConnell	Stevenson
McCracken	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain.

COMMUNICATION FROM HON.
R. W. CALVERT

The Chair laid before the House, and had read the following communication:

June 14, 1937.

Mrs. Louise Snow Phinney,
Chief Clerk of the House of Representatives,
Austin, Texas

Dear Mrs. Phinney:

In my absence from the session of the House of Representatives on Monday, June 14, 1937, I hereby designate and appoint Honorable Charles H. Tennyson to call the House to order and to preside during my absence on such date.

Very truly yours,

R. W. CALVERT, Speaker.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Reader for today and the balance of the week, for the purpose of attending the Texas Pharmaceutical Convention in El Paso, on motion of Mr. McFarland.

Mr. Fox for last Wednesday and Thursday, on motion of Mr. Davison of Fisher.

Mr. Cauthorn for today, on motion of Mr. Rutta.

Mr. Keith for today, on motion of Mr. Burton.

Mr. Cathey temporarily for today, on motion of Mr. Reed of Bowie.

Mr. Pope for today, on motion of Mr. Shell.

Mr. Stevenson for today, on motion of Mr. Harris of Dallas.

Mr. Mann for today, on motion of Mr. Mays.

Mr. Patterson of Mills for today, on motion of Mr. Brown.

Mr. Ross for today, on motion of Mr. Bradbury.

Mr. Heflin for today and the balance of the week, on motion of Mr. Monkhouse.

Mr. McCracken for today, on motion of Mr. Winfree.

Mr. Ragsdale for today, on motion of Mr. McKinney.

Mr. Baker for this afternoon, on motion of Mr. Worley.

The following Members were granted leaves of absence on account of illness:

Mr. Jones of Falls for today, on motion of Mr. Davis of Haskell.

Mr. Quinn for today and the balance of the week, on motion of Mr. Nicholson.

Mr. McConnell for today and tomorrow, on account of the death of a relative, on motion of Mr. Lanning.

HOUSE BILL ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Thornberry, Mr. Jones of Wise, Mr. Morris, Mr. Keefe and Mr. Knetsch:

H. B. No. 23, A bill to be entitled "An Act instructing the Texas Racing Commission to turn over the Jockey Fund to the State Treasury for deposit to the General Fund, and declaring an emergency."

Referred to the Committee on State Affairs.

MESSAGE FROM THE SENATE

Austin, Texas, June 14, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 2, A bill to be entitled "An Act defining and prohibiting the offenses of 'book making' and of 'pursuing the business of book making'; making it unlawful to permit the use of certain property in connection with book making; prohibiting and regulating the use of certain methods of communication in connection with or in aid of book making; declaring certain property used in connection with book making to be a public nuisance and providing procedure for the abatement of that nuisance; authorizing conviction for any offense under this Act upon the uncorroborated testimony of an accomplice; and exempting from prosecution accomplices who testify; providing the quantum of proof and allegation upon trail of cases arising under this Act; prescribing pen-

alties for a violation of the several provisions hereof; making the provisions of this Act cumulative of existing laws; providing a saving or severance clause, and declaring an emergency."

S. B. No. 3, A bill to be entitled "An Act making it unlawful to bet or wager money or anything of value upon any dog race, or upon the result of any race, speed, skill or endurance contest between dogs, to be run or held in this State or elsewhere; providing a penalty and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

TO EXPRESS LEGISLATIVE INTENT IN REGARD TO CERTAIN BILL

Mr. Alsop offered the following resolution:

H. C. R. No. 9, To express legislative intent in regard to certain bill.

Whereas, During the Regular Session of the Forty-fifth Legislature, Senate Bill No. 185 was finally passed carrying provisions that the effective date of the Act should be beginning September 1, 1938 and ending August 31, 1939; and

Whereas, Such provisions would make it impossible for the rural schools of Texas to receive any benefits from this law until 1938; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That it is the intent of the Legislature that this law shall be effective beginning September 1, 1937 and ending August 31, 1938; and, be it further

Resolved, That the Department of Education is hereby directed to carry out the provisions of Senate Bill No. 185 beginning September 1, 1937 and ending August 31, 1938.

ALSUP,
MOFFETT.

The resolution was read second time, and was adopted.

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committee, as follows:

Senate Bill Nos. 2 and 3, to the Committee on Criminal Jurisprudence.

TO REQUEST GOVERNOR TO SUBMIT CERTAIN SUBJECT

Mr. Knetsch offered the following resolution:

H. C. R. No. 10, To request Governor to submit certain subject.

Whereas, Since the rendition of the opinion by the Supreme Court of Texas in the New Way Lumber Case and the opinion by the Galveston Court of Civil Appeals in the Day Lumber Case, in which latter case the Supreme Court of Texas refused a writ of error thus making said opinion in effect the opinion of the Supreme Court of Texas, much confusion and uncertainty has arisen, relative to the status of the owners of private trucks and motor vehicles used by merchants, manufacturers, and others in the delivery and hauling of their own property over the highways of the State where any charge whatsoever is made by such merchants, manufacturers and others, having been decided in the two cases herein before mentioned to be under such circumstances carriers for hire; and

Whereas, It is believed that the merchants, manufacturers, ranchmen, farmers, and others who come within that general category should have the law clarified as to their correct status at this time. It being the sense of the Legislature that the owners and operators of legitimate established business throughout this State who own their own motor vehicles and as an incident to the operation of such business, transport their own property over the highways of this State and in some instances, make a nominal charge for the transportation and delivery of such property, never were intended to be and should not now be held to be under the rigid rules and regulations pertaining to the Regular Motor Carrier Act as applied to common carriers and carriers for hire; and

Whereas, At the Regular Session of the Forty-fifth Legislature, there was finally passed by both Houses by more than a two-thirds vote in each House, House Bill No. 67 which sought to clarify the law and give relief to the type of trucks and businesses herein before mentioned, which bill was vetoed by Governor Allred; and

Whereas, It is of vital interest to a great many people in this State, that the law be finally settled as to the

rights of private commercial carriers in this State to traverse the highways of this State in the carrying on of their business; and

Whereas, The passage of Senate Concurrent Resolution No. 65 at the Regular Session of the Forty-fifth Legislature does not finally and definitely clarify and settle the law on that subject; and

Whereas, It is believed by the Legislature that this law should be immediately clarified and settled; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Honorable James V. Allred, Governor of this State, be and is hereby urgently requested to submit for consideration at this, the First Called Session of the Legislature, the subject of the regulation of private commercial carrier motor vehicles.

KNETSCH,
THORNTON.

The resolution was read second time.

Question recurring on the resolution by Mr. Knetsch, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—97

Adkins	Hamilton
Alsup	Hankamer
Amos	Hanna
Baker	Harper
Beckworth	Harrell
Bell	Harris of Archer
Blankenship	Harris of Dallas
Boethel	Harris of Dickens
Bradbury	Hartzog
Bridgers	Herzik
Broadfoot	Hoskins
Brown	Huddleston
Burton	Hull
Cagle	Jackson
Carssow	James
Celaya	Johnson of Ellis
Cleveland	Johnson
Davis of Haskell	of Tarrant
Davis of Jasper	Jones of Angelina
Davison of Fisher	Kelt
Davisson	Kern
of Eastland	King
Deglandon	Knetsch
Derden	Lankford
England	Lanning
Farmer	Leath
Felty	Leonard
Fielden	Little
Fox	Loggins
Gibson	London

Lucas	Schuenemann
Mauritz	Settle
Mays	Sharpe
McDonald	Shell
McFarland	Simpson
McKee	Skaggs
Moffett	Smith of Hopkins
Monkhouse	Smith
Newton	of Matagorda
Oliver	Smith of Tarrant
Palmer	Stinson
Patterson	Stocks
of Travis	Talbert
Powell	Tennant
Prescott	Thornton
Reed of Bowie	Waggoner
Reed of Dallas	Weldon
Rhodes	Westbrook
Riddle	Winfree
Roark	Worley
Rutta	

Nays—10

Hardin	Morris
Holland	Morse
Jones of Wise	Petsch
Langdon	Russell
Leyendecker	Thornberry

Absent

Alexander	Howard
Bates	Hyder
Bond	Jones of Atascosa
Boyer	Keefe
Bradford	Kenyon
Callan	Metcalf
Colquitt	Nicholson
Dean	Sewell
Dickison	Tarwater
Dollins	Tennyson
Fuchs	Vale
Graves	Walker
Harbin	Wood

Absent—Excused

Cathey	McKinney
Cauthorn	Patterson of Mills
Heflin	Pope
Jones of Falls	Quinn
Keith	Ragsdale
Mann	Reader
McConnell	Ross
McCracken	Stevenson

**TO GRANT CERTAIN DISTRICT
JUDGE PERMISSION TO BE
ABSENT FROM THE STATE**

Mr. Derden offered the following resolution:

H. C. R. No. 14, To grant Judge Terry Dickens permission to be absent from the State.

Be It Resolved by the House of Representatives of Texas, the Senate

concurring, That the Honorable Terry Dickens, Judge of the 87th Judicial District Court of Texas, be, and is hereby, granted permission to be absent from the State of Texas at such intervals and for such time as he may see fit and proper during the years of 1937 and 1938, taking into consideration the condition of the docket of said court.

The resolution was read second time, and was adopted.

**TO GRANT CERTAIN DISTRICT
JUDGE PERMISSION TO BE
ABSENT FROM THE STATE**

Mr. Harris of Dickens offered the following resolution:

H. C. R. No. 15, Granting Judge Alton B. Chapman permission to be absent from the State.

Be It Resolved by the House of Representatives of Texas, the Senate concurring, That the Honorable Alton B. Chapman, Judge of the 110th Judicial District Court of Texas, be, and is hereby granted permission to be absent from the State of Texas at such intervals and for such time as he may see fit and proper during the years of 1937 and 1938, taking into consideration the condition of the docket of said court.

The resolution was read second time, and was adopted.

**TO PROVIDE FOR APPOINTMENT
OF CERTAIN COMMITTEE**

Mr. McFarland offered the following resolution:

Whereas, The House of Representatives of the State of Texas is required to be in Regular Session once every two years and for a term of four months or more, and it frequently meets in Called Sessions; and

Whereas, The business of the State of Texas has increased to such an extent that Members of the House are swamped with correspondence and business of all kinds; and

Whereas, The desks and chairs which the Members are compelled to use are antiquated and have long since outlived their usefulness, having been purchased many years ago when the business of the House was not so exacting upon the time and energies of the membership; and

Whereas, In line with modern business usages and practices it is advisable that the House be equipped

with modern desks and chairs for the convenience of the Members in handling their various affairs; and

Whereas, The equipment of the House with modern desks containing filing cabinets would expedite the business of the House and the membership generally and be of much value to the State of Texas both in the way of efficiency and appearance; now, therefore, be it

Resolved by the House of Representatives of the Forty-fifth Legislature of Texas, That a committee of three members of the House be appointed for the purpose of inquiring into the merits of the different types of desks and chairs suitable for use in the House and the prices for same, on the various types found to be suitable for such purposes and to make a report back to this House with their findings during the present Called Session.

McFARLAND,

DAVIS of Jasper.

The resolution was read second time.

Mr. Fielden raised a point of order, on further consideration of the resolution, at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Chair sustained the point of order.

Mr. Bradbury moved that the time allotted for the consideration of resolutions be extended until the above resolution is disposed of.

The motion prevailed.

Mr. Huddleston moved that the resolution be laid on the table.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—53

Alexander	Fox
Alsup	Fuchs
Beckworth	Gibson
Bridgers	Hamilton
Cagle	Hardin
Cleveland	Harrell
Davis of Haskell	Hartzog
Davison	Huddleston
of Eastland	Johnson of Ellis
Deglandon	Jones of Wise
Derden	Keefe
Dickison	Kenyon
Farmer	Kern
Fielden	Langdon

Lankford
Mauritz
Mays
McDonald
Moffett
Morris
Nicholson
Oliver
Palmer
Reed of Bowie
Reed of Dallas
Riddle
Roark
Russell

Simpson
Smith
of Matagorda
Smith of Tarrant
Stinson
Tarwater
Tennant
Thornberry
Weldon
Westbrook
Winfree
Wood
Worley

Nays—54

Adkins	Lanning
Amos	Leath
Baker	Leyendecker
Blankenship	Little
Boethel	Loggins
Bond	London
Boyer	Lucas
Brown	McFarland
Callan	McKee
Carssow	Metcalf
Celaya	Newton
England	Patterson
Felty	of Travis
Hankamer	Petsch
Harbin	Powell
Harris of Archer	Prescott
Harris of Dallas	Rutta
Harris of Dickens	Schuenemann
Herzik	Settle
Holland	Sewell
Hoskins	Sharpe
Hull	Skaggs
Hyder	Stocks
Jackson	Talbert
James	Thornton
Jones of Angelina	Waggoner
King	Walker
Knetsch	

Present—Not Voting

Kelt

Absent

Bates	Harper
Bell	Howard
Bradbury	Johnson
Bradford	of Tarrant
Broadfoot	Jones of Atascosa
Burton	Leonard
Colquitt	Monkhouse
Davis of Jasper	Morse
Davison of Fisher	Rhodes
Dean	Shell
Dollins	Smith of Hopkins
Graves	Tennyson
Hanna	Vale

Absent—Excused

Cathey	McKinney
Cauthorn	Patterson of Mills
Heflin	Pope
Jones of Falls	Quinn
Keith	Ragsdale
Mann	Reader
McConnell	Ross
McCracken	Stevenson

Question then recurring on the resolution by Mr. McFarland, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—61

Amos	Leonard
Baker	Leyendecker
Blankenship	Little
Boethel	Loggins
Bond	London
Boyer	Lucas
Bradbury	McFarland
Callan	McKee
Carssow	Metcalf
Celaya	Monkhouse
Davis of Haskell	Morris
England	Morse
Felty	Newton
Hankamer	Patterson
Harbin	of Travis
Harrell	Petsch
Harris of Archer	Powell
Harris of Dallas	Prescott
Harris of Dickens	Rhodes
Hartzog	Rutta
Herzik	Settle
Holland	Sewell
Hoskins	Skaggs
Hull	Smith of Hopkins
Hyder	Stocks
Jackson	Talbert
James	Thornton
Jones of Atascosa	Vale
King	Waggoner
Knetsch	Walker
Lanning	Winfree

Nays—58

Adkins	Deglandon
Alexander	Derden
Alsup	Dickison
Beckworth	Farmer
Bell	Fielden
Bridgers	Fox
Brown	Fuchs
Burton	Gibson
Cagle	Hamilton
Cleveland	Hanna
Colquitt	Hardin
Davisson	Huddleston
of Eastland	Johnson of Ellis

Jones of Angelina	Reed of Dallas
Jones of Wise	Roark
Keefe	Russell
Kelt	Schuenemann
Kenyon	Sharpe
Kern	Simpson
Langdon	Smith
Lankford	of Matagorda
Leath	Smith of Tarrant
Mauritz	Stinson
Mays	Tarwater
McDonald	Tennant
Moffett	Thornberry
Nicholson	Weldon
Oliver	Westbrook
Palmer	Wood
Reed of Bowie	Worley

Absent

Bates	Harper
Bradford	Howard
Broadfoot	Johnson
Davis of Jasper	of Tarrant
Davison of Fisher	Riddle
Dean	Shell
Dollins	Tennyson
Graves	

Absent—Excused

Cathey	McKinney
Cauthorn	Patterson of Mills
Heflin	Pope
Jones of Falls	Quinn
Keith	Ragsdale
Mann	Reader
McConnell	Ross
McCracken	Stevenson

TO PROVIDE FOR APPOINTMENT OF COMMITTEE TO MAKE CERTAIN INVESTIGATION

The Chair laid before the House, as unfinished business, resolution offered by Mr. Celaya on Monday, May 31, to provide for appointment of committee to make certain investigation in regard to oil operators, refineries and pipe line companies.

The resolution having heretofore been read second time, with motion by Mr. Keefe that the resolution be referred to the Committee on Oil, Gas and Mining, pending.

Mr. Celaya moved to table the motion by Mr. Keefe to refer the resolution to the Committee on Oil, Gas and Mining.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called, and the vote announced, as follows: Yeas, 58; Nays, 49.

Mr. Keefe requested a verification of the vote.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—61

Alexander	Lanning
Boethel	Leonard
Boyer	Leyendecker
Broadfoot	Little
Callan	Loggins
Carsow	London
Celaya	McDonald
Dickison	McFarland
Felty	McKee
Fuchs	Moffett
Gibson	Monkhouse
Hamilton	Newton
Hankamer	Nicholson
Harbin	Patterson
Harper	of Travis
Harrell	Petsch
Harris of Dallas	Rhodes
Harris of Dickens	Roark
Herzik	Schuenemann
Holland	Settle
Hoskins	Sewell
Howard	Shell
Hull	Simpson
Jackson	Stinson
Jan.es	Stocks
Johnson of Ellis	Talbert
Johnson	Tennant
of Tarrant	Thornton
Jones of Angelina	Vale
Kenyon	Waggoner
King	Winfree
Knetsch	

Nays—51

Adkins	Keefe
Alsup	Kelt
Amos	Kern
Beckworth	Langdon
Bell	Lankford
Bradbury	Leath
Bridgers	Lucas
Brown	Mauritz
Burton	Metcalfe
Cagle	Palmer
Cleveland	Powell
Colquitt	Prescott
Davison of Fisher	Reed of Bowie
Deglandon	Reed of Dallas
Derden	Riddle
England	Russell
Fielden	Rutta
Fox	Sharpe
Hanna	Skaggs
Hardin	Smith of Hopkins
Harris of Archer	Smith
Huddleston	of Matagorda
Jones of Wise	Smith of Tarrant

Tarwater
Thornberry
Weldon

Westbrook
Wood
Worley

Absent

Baker	Farmer
Bates	Graves
Blankenship	Hartzog
Bond	Hyder
Bradford	Jones of Atascosa
Davis of Haskell	Mays
Davis of Jasper	Morris
Davisson	Morse
of Eastland	Oliver
Dean	Tennyson
Dollins	Walker

Absent—Excused

Cathey	McKinney
Cauthorn	Patterson of Mills
Heflin	Pope
Jones of Falls	Quinn
Keith	Ragsdale
Mann	Reader
McConnell	Ross
McCracken	Stevenson

The Chair announced that the motion to table prevailed.

Mr. Hull moved the previous question on the resolution, and the motion was duly seconded.

Question then recurring on the motion for the main question, it was lost.

Mr. Morris moved to postpone further consideration of the resolution until 10:00 o'clock a. m., tomorrow.

Mr. Hull moved to table the motion to postpone.

The motion to table prevailed.

Mr. Reed of Bowie moved to postpone further consideration of the resolution until 10:00 o'clock a. m., next Saturday.

Mr. Hull moved to table the motion to postpone.

The motion to table prevailed.

Mr. Harris of Dallas moved the previous question on the resolution, and the motion was duly seconded.

Question then recurring on the motion for main question, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—65

Adkins	Boethel
Alexander	Boyer
Baker	Broadfoot
Blankenship	Callan

Carssow	Lanning
Celaya	Leonard
Colquitt	Leyendecker
Davisson	Little
of Eastland	Loggins
Dickison	London
Farmer	McDonald
Felty	McFarland
Fuchs	McKee
Gibson	Moffett
Hamilton	Monkhouse
Hankamer	Newton
Harbin	Nicholson
Harper	Patterson
Harrell	of Travis
Harris of Dallas	Powell
Harris of Dickens	Rhodes
Hartzog	Schuenemann
Hoskins	Settle
Howard	Sewell
Hull	Shell
Jackson	Simpson
James	Smith
Johnson of Ellis	of Matagorda
Johnson	Stinson
of Tarrant	Stocks
Jones of Angelina	Tennant
Jones of Wise	Thornton
Kenyon	Vale
King	Waggoner
Knetsch	

Nays—54

Alsup	Langdon
Amos	Lankford
Beckworth	Leath
Bell	Lucas
Bradbury	Mauritz
Bridgers	Morris
Brown	Oliver
Burton	Palmer
Cagle	Petsch
Cleveland	Prescott
Davis of Haskell	Reed of Bowie
Davis of Jasper	Reed of Dallas
Deglandon	Riddle
Derden	Roark
England	Russell
Fielden	Rutta
Fox	Sharpe
Graves	Skaggs
Hanna	Smith of Hopkins
Harris of Archer	Smith of Tarrant
Herzik	Talbert
Holland	Tarwater
Huddleston	Thornberry
Hyder	Weldon
Keefe	Westbrook
Kelt	Wood
Kern	Worley

Absent

Bates	Davison of Fisher
Bond	Dean
Bradford	Dollins

Hardin	Morse
Jones of Atascosa	Tennyson
Mays	Walker
Metcalfe	Winfree

Absent—Excused

Cathey	McKinney
Cauthorn	Patterson of Mills
Heflin	Pope
Jones of Falls	Quinn
Keith	Ragsdale
Mann	Reader
McConnell	Ross
McCracken	Stevenson

Mr. Jones of Wise moved to reconsider the vote by which the previous question was ordered.

Mr. James moved to table the motion to reconsider.

The motion to table prevailed.

Mr. Prescott moved that all necessary Rules be suspended in order that certain amendment by Mr. Jones of Wise might be offered to the resolution.

Mr. Thornton raised a point of order, on further consideration of the motion, on the ground that the motion by Mr. Prescott is vague and indefinite.

The Chair overruled the point of order.

Question then recurring on the motion by Mr. Prescott to suspend the Rules, it was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—70

Adkins	Fox
Alexander	Graves
Alsup	Hanna
Amos	Hardin
Beckworth	Harris of Archer
Bell	Herzik
Blankenship	Holland
Bradbury	Huddleston
Bridgers	Jones of Angelina
Brown	Jones of Atascosa
Burton	Jones of Wise
Cagle	Keefe
Carssow	Kelt
Cleveland	Kern
Colquitt	King
Davis of Jasper	Langdon
Davison of Fisher	Lankford
Davisson	Lanning
of Eastland	Leath
Deglandon	London
Derden	Lucas
England	Mauritz
Farmer	Mays
Fielden	Metcalfe

Moffett	Simpson
Morris	Skaggs
Oliver	Smith of Hopkins
Palmer	Smith
Petsch	of Matagorda
Prescott	Smith of Tarrant
Reed of Bowie	Talbert
Reed of Dallas	Thornberry
Roark	Weldon
Russell	Westbrook
Rutta	Wood
Sharpe	Worley

Nays—46

Boethel	Kenyon
Boyer	Knetsch
Broadfoot	Leonard
Callan	Leyendecker
Celaya	Little
Felty	McDonald
Fuchs	McFarland
Gibson	McKee
Hamilton	Monkhouse
Hankamer	Morse
Harbin	Nicholson
Harrell	Patterson
Harris of Dallas	of Travis
Harris of Dickens	Powell
Hartzog	Schuenemann
Hoskins	Settle
Howard	Sewell
Hull	Shell
Hyder	Stocks
Jackson	Tennant
James	Thornton
Johnson of Ellis	Vale
Johnson	Waggoner
of Tarrant	Walker

Absent

Baker	Loggins
Bates	Newton
Bond	Rhodes
Bradford	Riddle
Davis of Haskell	Stinson
Dean	Tarwater
Dickison	Tennyson
Dollins	Winfree
Harper	

Absent—Excused

Cathey	McKinney
Cauthorn	Patterson of Mills
Heflin	Pope
Jones of Falls	Quinn
Keith	Ragsdale
Mann	Reader
McConnell	Ross
McCracken	Stevenson

Mr. Reed of Bowie moved that all necessary Rules be suspended for the purpose of speaking on personal privilege, at this time.

The motion was lost by the following vote:

Yeas—52

Alexander	Huddleston
Alsup	Jones of Wise
Amos	Keefe
Beckworth	Kelt
Bell	King
Blankenship	Langdon
Bradbury	Lankford
Bridgers	Leath
Brown	Lucas
Burton	Mauritz
Cagle	Mays
Carssow	Morris
Cleveland	Oliver
Davis of Jasper	Palmer
Davison of Fisher	Prescott
Davisson	Reed of Bowie
of Eastland	Reed of Dallas
Derden	Roark
Dickison	Simpson
England	Smith of Tarrant
Farmer	Talbert
Fielden	Thornberry
Hanna	Weldon
Hardin	Westbrook
Harris of Archer	Wood
Herzik	Worley
Holland	

Nays—61

Adkins	Lanning
Boethel	Leyendecker
Boyer	Little
Broadfoot	Loggins
Callan	London
Celaya	McDonald
Colquitt	McFarland
Deglandon	McKee
Felty	Moffett
Fuchs	Monkhouse
Gibson	Morse
Hamilton	Nicholson
Hankamer	Patterson
Harbin	of Travis
Harrell	Petsch
Harris of Dallas	Powell
Harris of Dickens	Russell
Hartzog	Rutta
Hoskins	Schuenemann
Howard	Settle
Hull	Sewell
Hyder	Sharpe
Jackson	Shell
James	Smith of Hopkins
Johnson of Ellis	Smith
Johnson	of Matagorda
of Tarrant	Stocks
Jones of Angelina	Tennant
Jones of Atascosa	Thornton
Kenyon	Vale
Kern	Waggoner
Knetsch	Walker

Absent

Baker	Leonard
Bates	Metcalf
Bond	Newton
Bradford	Rhodes
Davis of Haskell	Riddle
Dean	Skaggs
Dollins	Stinson
Fox	Tarwater
Graves	Tennyson
Harper	Winfree

Absent—Excused

Cathey	McKinney
Cauthorn	Patterson of Mills
Heflin	Pope
Jones of Falls	Quinn
Keith	Ragsdale
Mann	Reader
McConnell	Ross
McCracken	Stevenson

Mr. Bradbury asked unanimous consent to amend the resolution to provide "that the committee shall not recommend or endorse any candidacy for any public office in this State."

There was objection offered.

Mr. Celaya asked unanimous consent of the House that the resolution be amended to provide that the committee as a whole shall not endorse or recommend any candidacy for State office in this State.

There was objection offered.

Question then recurring on the resolution by Mr. Celaya, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 63; Nays, 54.

A verification of the vote was requested.

Mr. Harris of Dickens moved a call of the House for the purpose of maintaining a quorum pending consideration of the resolution, and the call was duly ordered.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—62

Adkins	Davisson
Alexander	of Eastland
Boethel	Dickson
Boyer	Felty
Broadfoot	Fuchs
Callan	Gibson
Carssow	Hamilton
Celaya	Hankamer

Harbin	McDonald
Hardin	McFarland
Harrell	McKee
Harris of Dallas	Metcalf
Harris of Dickens	Moffett
Hartzog	Monkhouse
Holland	Morse
Hoskins	Nicholson
Howard	Patterson
Hull	of Travis
Hyder	Petsch
Jackson	Powell
James	Rhodes
Johnson of Ellis	Roark
Johnson	Schuenemann
of Tarrant	Settle
Jones of Angelina	Sewell
Jones of Wise	Shell
Kenyon	Simpson
Knetsch	Stocks
Lanning	Tennant
Leonard	Thornton
Leyendecker	Vale
Little	Worley
Loggins	

Nays—57

Alsup	Lankford
Amos	Leath
Beckworth	London
Bell	Lucas
Bradbury	Mauritz
Bridgers	Mays
Brown	Morris
Burton	Oliver
Cagle	Palmer
Cleveland	Prescott
Colquitt	Reed of Bowie
Davis of Haskell	Reed of Dallas
Davis of Jasper	Riddle
Davison of Fisher	Russell
Deglandon	Rutta
Derden	Skaggs
England	Smith of Hopkins
Farmer	Smith
Fielden	of Matagorda
Fox	Smith of Tarrant
Graves	Stinson
Hanna	Talbert
Harris of Archer	Tarwater
Huddleston	Thornberry
Keefe	Waggoner
Kelt	Walker
Kern	Weldon
King	Westbrook
Langdon	Wood

Present—Not Voting

Herzik

Absent

Baker	Bond
Bates	Bradford
Blankenship	Dean

Dollins
Harper
Jones of Atascosa
Newton

Sharpe
Tennyson
Winfree

Absent—Excused

Cathey
Cauthorn
Heflin
Jones of Falls
Keith
Mann
McConnell
McCracken

McKinney
Patterson of Mills
Pope
Quinn
Ragsdale
Reader
Ross
Stevenson

The Chair announced that the resolution was adopted.

INVITING DR. F. W. KRATZ TO ADDRESS A JOINT SESSION OF THE HOUSE AND SENATE

Mr. Reed of Dallas offered the following resolution:

H. C. R. No. 16, Inviting Dr. F. W. Kratz to address a Joint Session of the House and Senate.

Whereas, There is within the confines of Austin an eminent physician, Dr. F. W. Kratz, Past Assistant Surgeon, U. S. Public Health Service; and

Whereas, Due to the outstanding service Dr. Kratz has rendered to the United States Government he has been loaned to the State Department of Health of this State for the purpose of furthering the health of the people of this State; and

Whereas, The Governor of Texas, James V. Allred, is very interested in this service and has expressed the desire that Dr. Kratz address a Joint Session of the Legislature; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That Dr. Kratz be invited to address the Joint Session of the Legislature Tuesday, June 15, at 11:30 a. m.

REED of Dallas,
STOCKS,
HOLLAND,
CARSSOW.

The resolution was read second time, and was adopted.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 1

Mr. Thornton submitted the following Conference Committee Report on House Bill No. 1:

Committee Room,

Austin, Texas, June 14, 1937.

Honorable Walter F. Woodul, President of the Senate.

Honorable R. W. Calvert, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences in House Bill No. 1, beg leave to report that we have had the same under consideration and recommend that it do pass in the form and text attached hereto.

Respectfully submitted,

REDDITT,
ONEAL,
RAWLINGS,
MOORE,

On the part of the Senate.

GRAVES,
THORNBERRY,
THORNTON,
REED of Dallas,

DAVISON of Fisher,
On the part of the House.

Committee Substitute for H. B. No. 1.

A BILL

To Be Entitled

An Act making supplemental and new appropriations for the support and maintenance of executive, legislative, administrative and other agencies and departments of the State Government; making certain corrective amendments to Senate Bill No. 138, passed at the Regular Session of the Forty-fifth Legislature, which is the General Departmental Appropriation Bill for the biennium commencing September 1, 1937, and ending August 31, 1939, and declaring if any portion of this Act be held unconstitutional, then it is the intent of the Legislature to pass the remaining portion thereof, regardless of the unconstitutionality of such other portion, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

That the several sums of money herein specified, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, or out of special funds as may be shown, for the following purposes, to-wit:

Section 1. Mileage, per diem and contingent expenses, Forty-fifth Legislature, First Called Session.

Subsection a. There is hereby appropriated out of any funds in the State Treasury not otherwise appropriated, the sum of One Hundred Thousand (\$100,000.00) Dollars, or so much thereof as may be necessary, to pay the contingent expenses and to pay the mileage and per diem of Members and the per diem of officers and employees of the First Called Session of the Forty-fifth Legislature.

Subsection b. The certificate of the Secretary of the Senate, approved by the President of the Senate, or the certificate of the Chief Clerk of the House of Representatives, approved by the Speaker thereof, shall be sufficient evidence to the Comptroller upon which to audit and pay the claims for mileage and per diem of Members and the salaries and per diem of officers and employees of the First Called Session of the Forty-fifth Legislature, and to pay any unpaid bills or accounts of the Regular Session of the Forty-fifth Legislature, and the Comptroller shall issue the necessary warrants for same upon the Treasury of the State of Texas.

Subsection c. The certificate of the Chairman of the Committee on Contingent Expenses of the Senate, approved by the President of the Senate, or the certificate of the Chairman of the Committee on Contingent Expenses of the House of Representatives, approved by the Speaker of the House, as the case may be, shall be sufficient authority to the Comptroller to issue warrants upon the Treasury of the State of Texas for the payment of accounts for contingent expenses of the First Called Session of the Forty-fifth Legislature for either House and to pay any unpaid bills or accounts of the Regular Session of the Forty-fifth Legislature.

Section 2. The following amendment to the appropriation for the State Board of Control, as contained in Senate Bill No. 138, Regular Session, Forty-fifth Legislature, is hereby made, by adding at the end of said appropriation the following provisions:

"There are hereby appropriated to the State Board of Control for each of the fiscal years ending August 31, 1938, and August 31, 1939, all fees

and receipts collected by said Board in connection with inviting bids and furnishing proposals on contracts and purchases to be awarded by the Board, together with any balances on hand at the end of any fiscal year from such receipts, to be deposited in the State Treasury and used or paid out as other State funds to defray all necessary salaries, postage, maintenance and contingent expenses in connection with the making and furnishing of said proposals and said services.

Provided, further, that the authorization that permits State Departments to excuse a part of their employees at noon on Saturday is modified for the Board of Control to provide that said Department may set its closing time on Saturdays and permit all employees to leave, provided the number of hours work during the week shall be the same as provided in the General Appropriation Bill. This provision is granted inasmuch as the Board of Control cannot function efficiently with only about one-half of the employees present.

In compliance with the provisions of the Texas Relief Acts the State Comptroller and State Treasurer are hereby directed to set aside sufficient funds during the biennium ending August 31, 1939, in the "Texas Relief Bond Sinking Fund" for the payment of the principal of maturing Relief Bonds and accruing interest due during said biennium and sufficient funds therefor are hereby appropriated. For the purpose of administering relief out of either Federal or State funds after August 31, 1937, there is hereby appropriated to the State Board of Control out of any relief bond moneys of any series remaining on hand August 31, 1937, such amounts as may be necessary for the authorized relief, salaries, bonds and other administrative expenses as provided in Senate Bill No. 90, Acts of the Regular Session of the Forty-fourth Legislature. However, the provisions of paragraph (h), Section 12 of said Senate Bill No. 90 shall not apply to this appropriation and said Board shall fully cooperate with the Federal Government in disbursing food, clothing and other commodities allocated to Texas by the Federal Government. The funds so appropriated herein shall be disbursed by warrants drawn by the Comptroller of Public Accounts on the Relief Bonds Fund upon invoices

approved by the State Board of Control. The State Treasurer is directed not to transfer any sums of money (which have been derived from the sale of any of the relief bonds) from any of the relief bond accounts and/or special accounts to the "Texas Relief Bond Sinking Fund" until notified in writing by the State Board of Control that relief under said accounts and/or special accounts has been terminated.

In the event House Bill No. 7, passed by the Forty-fifth Legislature and sent to the Governor for his action, becomes a law, it is hereby provided that all appropriations made for administration, operation, maintenance and other purposes for the several agencies or divisions of government consolidated under the provisions of said House Bill No. 7 shall become available to the Division of Public Welfare of the State Board of Control, throughout the biennium ending August 31, 1939; and also that the current appropriations shall not cease or become ineffective for the short period between the effective date of House Bill No. 7 and this biennial appropriation Act.

Inasmuch as an error occurred in the appropriation for the Child Welfare Division for the biennium ending August 31, 1939, in that sufficient money was therein appropriated to pay the salaries of two child welfare assistants \$2,160.00 per year each and the descriptive item by oversight erroneously recited "None exceeding \$1,800.00 per year," said item is hereby changed, amended or corrected to read "none exceeding \$2,160.00 per year," but the total of \$4,320.00 appropriated each year shall remain the same."

Section 3. The following amendment to the appropriation for the Board of County and District Road Indebtedness, contained in Senate Bill No. 138, Regular Session, Forty-fifth Legislature, is hereby made, by adding at the end of said appropriation and any riders thereto, the following:

"Item No. 2 of the appropriations for this Board erroneously recites 'auditors, three, one at \$2,700.00, three at \$2,520.00', and said description and item is hereby changed and corrected to recite 'auditors, four, one at \$2,700.00, three at \$2,520.00' and the total amount in each year shall remain the same."

Section 4. The following amend-

ment to the appropriation for the State Board of Hairdressers and Cosmetologists contained in Senate Bill No. 138, Regular Session, Forty-fifth Legislature, is hereby made, by adding at the end of said appropriation the following:

"The special provision or rider erroneously omitted at the close of the Board's appropriations is hereby inserted, and reads as follows:

"There is hereby appropriated, and ordered transferred, the sum of Eighteen Hundred Seventy-five (\$1,875.00) Dollars per year out of the State Board of Cosmetologists Fund to the General Revenue Fund for the purpose of paying the cost of governmental services rendered to the State Board of Hairdressers and Cosmetologists."

Section 5. The following amendment to the appropriation for the State Department of Health, contained in Senate Bill No. 138, Regular Session, Forty-fifth Legislature, is hereby made, by adding a new provision to said appropriation, to read as follows:

"The appropriations herein made under Items 73 and 74 for Malariologist and Assistant Malariologist may be transferred to any of the State Hospitals upon the written approval of the State Board of Health and the State Board of Control."

Section 6. The following amendment to the appropriation for the State Board of Water Engineers, contained in Senate Bill No. 138, Regular Session, Forty-fifth Legislature, is hereby made, by adding at the end of said appropriation the following:

"There is hereby appropriated to the State Board of Water Engineers, out of any money in the State Treasury not otherwise appropriated, for the fiscal years ending August 31, 1938, and August 31, 1939, the sum of \$3,000.00 each year, or so much thereof as may be necessary, for rent for quarters to be occupied by the State Board of Water Engineers and the State Reclamation Department. It is specially provided that the State Board of Water Engineers shall select suitable quarters by September 1, 1937, and shall vacate the quarters now occupied by said Board in the State Highway Building on or before the 10th day of September, 1937.

It is further specially provided that no warrant shall be issued for salary

to any member of said Board who fails to comply with this provision."

Section 7. The following amendments to the appropriation for the State Department of Education, contained in Senate Bill No. 138, Regular Session, Forty-fifth Legislature, are made, as follows:

Subsection a. "The erroneous omission of the words 'State's Part' immediately preceding the word 'Salaries' in the appropriation for the Vocational Rehabilitation division of the State Department of Education is hereby corrected, and said words 'State's Part' are hereby inserted immediately preceding the word 'Salaries' in said appropriation act."

Subsection b. "In the Textbook Administration Division of the State Board of Education the erroneous repetition immediately following the head of 'Administrative Salaries' of the four following positions and amounts:

	For the Years Ending	
	August 31, 1938	August 31, 1939
Director ———	\$ 3,600.00	\$ 3,600.00
Chief Clerk —	2,700.00	2,700.00
Chief Accountant —	2,500.00	2,500.00
Depository Manager —	2,100.00	2,100.00

are hereby corrected in that said four items and amounts therefor are hereby eliminated and deleted from the said appropriation and it is hereby declared the intention of the Legislature was not to appropriate said positions in duplicate or repetition."

Subsection c. "The State Board of Education is hereby directed to appoint not more than two surveyors, one auditor and one bond expert; such employees are to be paid salaries and necessary expenses commensurate with salaries paid in other departments for similar employment, and are to be paid out of the Available School Fund. The surveyors shall be at the disposal of the Board of Education for the purpose of investigating and locating the true boundaries of such free school lands concerning about which any question has heretofore arisen or may hereafter arise; the auditor's duty shall be such as may be prescribed by the Board and the bond expert shall give his written opinion upon all bonds or securities

tendered for purchase to the State Board of Education for investment of the permanent school fund. Such written recommendation of said expert shall be made of record in each instance in the minutes of the Board, and the members of the Board of Education are hereby directed to place on record the vote of each member present and voting upon all questions arising on the matter of following or rejecting the recommendations of the bond expert in the matter of purchasing securities for the permanent school fund."

Section 8. The following amendment to the appropriation for the General Land Office, contained in Senate Bill No. 138, Regular Session, Forty-fifth Legislature, is made, by adding at the end of said appropriation act the following:

"All receipts to the Mineral Development Fund shall be transferred and released into the General Revenue Fund as collected. The appropriations herein contained include appropriations for the Board of Mineral Development. The employees filling said positions shall be selected by said Board."

Section 9. The following amendment to the appropriation for the Texas Library and Historical Commission, contained in Senate Bill No. 138, Regular Session, Forty-fifth Legislature, is made, by adding thereto the following:

"Provided that all moneys paid into the State Treasury by the State Library from refunds for lost or badly damaged books, and all moneys for prepayment of postage, drayage, or transportation are hereby appropriated for the State Library for books, postage, express and freight for the State Library."

Section 10. The following amendment to the appropriation for the Livestock Sanitary Commission as contained in Senate Bill No. 138, Regular Session, Forty-fifth Legislature, is hereby made:

"Item No. 8 of said appropriation, describing the title of the position as 'Laboratory', is hereby corrected and changed to recite 'Laboratory director', and the amount appropriated therefor each year shall remain the same."

Section 11. The following amendment to the appropriation for the Rio Grande Compact Commission in Senate Bill No. 138, Regular Session,

Forty-fifth Legislature, is hereby made:

"The erroneously recited title appearing in the appropriation bill of 'Rio Grande Canyon' is corrected to read 'Rio Grande Compact Commission', and the description of Item No. 2 of said Commission's appropriation erroneously reciting 'expenses in connection with law suit, Master and Chaucer' is hereby corrected to read 'expenses in connection with law suit, Master in Chancery', and the total amount shall remain the same."

Section 13. The following amendment to the appropriation for the State Parks Board, contained in Senate Bill No. 138, Regular Session, Forty-fifth Legislature, is hereby made:

"Immediately following the appropriation for the Texas State Parks Board, insert the following provisions:

'All of the Parks' and Board's local fund receipts and any previous annual balances of local receipts are hereby appropriated and reappropriated for each year of the biennium for maintenance and improvement of the State parks. All maintenance items may be supplemented with Federal Funds'."

Section 14. The following amendment to the appropriation for the Department of Public Safety, contained in Senate Bill No. 138, Regular Session, Forty-fifth Legislature, is made:

"Item No. 6 of the appropriations for the Department of Public Safety, in which a part of the description of salaries was erroneously omitted, is hereby corrected and changed, with no change made in the amount, as follows:

	For the Years Ending
	August 31, 1938 August 31, 1939

6. Salaries, including statutory subsistence but no statutory-salary increases are allowed for continuous service, six captains at \$250.00 per month, one sergeant at \$225.00 per month, twenty-five privates at \$200.00 per month

\$ 80,700.00	\$ 80,700.00
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Section 15. The following amendment to the appropriation for the Texas Racing Commission, contained in Senate Bill No. 138, Regular Session, Forty-fifth Legislature, is hereby made:

"The special provisions immediately following the appropriations for the Texas Racing Commission and erroneously omitted from the appropriation act are hereby inserted, as follows:

"The itemized amounts are hereby appropriated to the Texas Racing Commission for each of said years out of the Special Racing Fund as created and provided by Chapter 10 of the printed General and Special Laws of the First Called Session of the Forty-third Legislature and any amendments. The remainder in said fund after providing for said annual operating expenses is hereby appropriated in accordance with the provisions of said law and amendments for each of said years as follows: Twenty-five per cent to the State Available School Fund to be used for public free school purposes, and the balance then remaining is hereby appropriated as follows: Twenty per

cent to the State Board of Control to be used in purchasing, transporting and delivering for distribution well-bred and approved stallions and jacks throughout the State of Texas, including all actual reasonable expenses incident thereto, in order to promote the breeding of better livestock in Texas; the remainder of said fund or so much thereof as may be necessary shall be used for the payment of the total appropriation made and fixed by the Legislature for the support and maintenance, including salaries, of the State Department of Agriculture for each of said years; any excess or balance then remaining in said Special Racing Fund at the end of any previous calendar year shall be transferred by the State Treasurer to the Texas Old Age Assistance Fund. In order to simplify the accounting and expenditure of that part of such fund set aside for the support and maintenance of the Department of Agriculture, the State Comptroller and State Treasurer are authorized and directed to transfer annually or semi-annually lump sum amounts from said Racing Fund to the General Revenue Fund'."

Section 16. The following amendment to the appropriation for the Railroad Commission, contained in Senate Bill No. 138, Regular Session, Forty-fifth Legislature, is hereby made:

"Item No. 2 in the Motor Transportation Division of said Railroad Commission, reading 'Director, \$4,750.00 each year', is hereby corrected and changed to read 'Director, \$5,000.00 each year'."

Section 17. The following amendment to the appropriation for the Secretary of State, contained in S. B. No. 138, Regular Session, Forty-fifth Legislature, is hereby made:

"With reference to the appropriation herein authorized and made for the purpose of compiling, printing and distribution of journals and Acts of the Regular Session of the Forty-fifth Legislature, which appropriation is made available September 1, 1937, it is herein expressly provided that said appropriation shall become effective immediately upon the passage of this Act."

Section 18. The provision made in the appropriation for the State Tax Board, S. B. No. 138, Regular Session, Forty-fifth Legislature, with reference to the appropriation of \$25,000.00 for one year for a tax survey is amended to read as follows:

"The appropriation hereinabove made in the sum of \$25,000.00 for the

tax survey is conditioned upon the continuation of the project and allocation of funds by the Federal Works Progress Administration sufficient to carry on the program."

Section 19. The following amendment to the appropriation for the State Treasurer, contained in Senate Bill No. 138, Regular Session, Forty-fifth Legislature, is made by adding provisions erroneously omitted from the appropriation act, as follows:

"It is hereby provided that the total amounts of appropriations listed in the Cigarette and Liquor Tax Division and for note stamp operations shall be paid from the revenue collected by said Divisions; and the Comptroller and Treasurer are authorized and directed to transfer or deposit from said receipts to the General Fund before their final allocations, the amounts of said appropriations at the most convenient times, and in transferring or depositing said amounts that the proper per cent shall be used as the basis of prorating the costs of the services rendered for collecting said respective revenue receipts."

Section 20. The appropriations and the provisions governing same for State Treasurer-Special, which were erroneously omitted in the regular departmental act, S. B. No. 138, Forty-fifth Legislature, Regular Session, are hereby appropriated and inserted as follows:

For the Years Ending
August 31, August 31,
1938 1939

For refunds to purchasers and lessees of certain public lands and timbers, payable as below provided out of the general fund or special funds as provided by law

\$ 8,000.00 \$ 8,000.00

The preceding appropriation entitled 'State Treasurer-Special' shall be for the purpose of making refunds, in accordance with the laws of the State, from the funds, affected, if permissible under the Constitution or General Laws, to purchasers and to lessees of public domain, mineral lands and to purchasers of timber, or their vendees or assigns, money which has been or which may be paid by them into the State Treasury or to the Attorney General in any of the following instances:

(a) Through error made in good faith, to be supported by the official signature of the Land Commissioner,

or of the Attorney General, to whom such payment is made.

(b) Where the payment is made in accordance with law, but title cannot issue or possession cannot pass, because of conflict in boundaries, erroneous sales, erroneous lease or other cause.

(c) In case of sale of leased lands.

(d) Where lease money has been paid on previous forfeited sales, the same having been reinstated and all interest paid.

(e) Where erroneous timber sales have been made.

(f) Where overpayments have

been made in final payments to the State Treasurer.

(g) Where a reduction has been made in acreage of timber sold or leased.

(h) In case of sale of timber which has been previously cut and appropriated, without such fact having been reported to the General Land Office prior to such sale; and to pay over to the newly organized counties where school lands set apart to such county are under lease at the time of organization of such county, previously paid but unearned portions of lease money on such lands; all refunds and payments herein provided for to be paid out of the respective funds to which said payments have been made or may be accredited, and all claims for refund or payment, except those embraced in subdivision (a) hereof, to be certified by the certificate of the Commissioner of the General Land Office and also the proper amounts, and all such claims to be verified by the affidavit of the claimant and approved by the Attorney General as to the correctness of the claim to whom due, provided, that the money so paid by any purchasers or lessees in case of sale of land by the purchaser, or assignment of the lease by the lessee after payment of such money, so that such refund shall be paid to the person upon whom the loss falls in case of

failure of title, or right of possession."

Section 21. The following amendment is made to the appropriation for the Texas Unemployment Compensation Commission, Senate Bill No. 138, Forty-fifth Legislature, Regular Session:

"The salaries of the members of the Texas Unemployment Compensation Commission and the employees thereof are to be paid from Federal funds in accordance with State and Federal laws. The salaries of the members of said Commission shall not be less than the amount authorized by the act creating said Commission, and Senate Bill No. 95 shall not apply to salaries of members of the Unemployment Compensation Commission. The salaries of the Unemployment Compensation Commission members and all employees thereof shall be paid in accordance with contract between said Commission and the Federal Government, acting by and through its duly authorized agents.

Section 21a. The following amendment is made to the Workmens' Compensation Department appropriation of the Casualty Division of the Board of Insurance Commission, Senate Bill No. 138, Forty-fifth Legislature, Regular Session, by inserting Item No. 22 and making an appropriation thereto; said item No. 22 was omitted in error:

	For the Years Ending August 31, August 31, 1938 1939	
22. Policy auditors and inspectors (two at \$1,500 per year)	\$ 3,000.00	\$ 3,000.00

Section 22. Item 3 in the appropriation for The Texas Old Age Assistance Commission, which reads as follows:

	For the Years Ending August 31, August 31, 1938 1939	
3. Assistant Director, two at \$3,600.00 and two at \$3,000.00	\$ 13,200.00	\$ 13,200.00

is hereby amended to read as follows:

	For the Years Ending August 31, August 31, 1938 1939	
3. Assistant Directors, four at \$3,600.00	\$ 14,400.00	\$ 14,400.00

Section 23. Rodent Control Board. Any appropriation heretofore made by the Legislature of this State for the purpose of eradicating salamanders, gophers and moles may be used in the counties mentioned in said ap-

propriation, and also in Raines County, Texas, it being the intent of the Legislature to add Raines County to the list of counties enumerated in appropriation bill.

Section 24. It is expressly provided

that a record of all moneys appropriated in this Act shall be made available for public inspection the same as other public records in this State. The Senate and the House shall each publish, in the form and manner as may be determined by each House, an itemized account of the expenditures. The Senate and House shall each have the authority to have same printed in the journal of each respective House.

Section 25. There is hereby appropriated, out of any funds in the State Treasury, not otherwise appropriated, the sum of \$10,000.00, or so much thereof as may be necessary, for expenses of any committees that may be authorized by the Regular and First Called Sessions of the Forty-fifth Legislature by either the House of Representatives or the Senate of Texas, and of said amount appropriated herein there is allocated to the committees of the House the sum of \$5,000.00 or so much thereof as may be necessary, and to the Senate the sum of \$5,000.00, or so much thereof as may be necessary. Each House shall have the authority to limit by simple resolution the total amount of expenditures of any committee to be paid out of this appropriation.

Section 26. State Board of Registration for Professional Engineers. It

is specifically provided that all sums of money received under and by virtue of Senate Bill No. 74, passed by the Forty-fifth Legislature, Regular Session, shall be deposited as required in said Act with the State Treasurer in a fund to be known as "Professional Engineers Fund", and all sums of money received in said fund during the biennium commencing September 1, 1937, and ending August 31, 1939, are hereby appropriated to said Board to be expended in accordance with the terms and provisions of this Act.

Section 27. All sums collected under and by virtue of House Bill No. 352, which are placed by said Act in the Bureau of Labor Statistics, are hereby appropriated to said Bureau during the biennium commencing September 1, 1937, and ending August 31, 1939, to be expended in accordance with the terms and provisions of said Act.

Section 28. The Board of Control is hereby specifically authorized to employ at any time said Board may see fit, the Superintendent for the West Texas Hospital for the Insane, authorized and created under and by virtue of House Bill No. 397.

Section 29. Item 17 of the appropriation for the Department of Agriculture, as contained in Senate Bill No. 138, Regular Session, Forty-fifth Legislature, which reads:

			For the Years Ending	
			August 31, August 31,	
			1938 1939	
17. Assistant Market directors, two, none to exceed \$1,800.00	\$	4,200.00	\$	4,200.00

is hereby amended to read as follows:

			For the Years Ending	
			August 31, August 31,	
			1938 1939	
17. Assistant Market Directors, two, none to exceed \$2,100.00	\$	4,200.00	\$	4,200.00

Section 30. Item 3 of the appropriation for the Board of County and District Road Indebtedness, as contained in Senate Bill No. 138, Forty-fifth Legislature, Regular Session, which reads as follows:

			For the Years Ending	
			August 31, August 31,	
			1938 1939	
3. Bookkeepers and bond clerks, six	\$	11,520.00	\$	11,520.00

is hereby amended to read as follows:

			For the Years Ending	
			August 31, August 31,	
			1938 1939	
3. Bookkeepers and bond clerks, six, none to exceed \$1,920.00 each per year	\$	11,520.00	\$	11,520.00

Section 31. If any portion of this Act be held unconstitutional, then it is hereby declared to be the intention of the Legislature to pass the remaining portion of said Act, nevertheless, regardless of the fact that a portion thereof might be an infringement of the Constitution of this State.

Section 32. The fact that the First Called Session of the Forty-fifth Legislature of the State of Texas is now in session and public policy requires that the appropriation made by this Act shall be made immediately available, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Hanna moved that further consideration of the report be postponed until 11:00 o'clock a. m., tomorrow.

The motion prevailed.

BILLS ORDERED NOT PRINTED

(By unanimous consent)

On motion of Mr. Davison of Fisher, Senate Bills Nos. 2 and 3 were ordered not printed.

RECESS

Mr. Derden moved that the House recess until 2:00 o'clock p. m., today.

Mr. Gibson moved that the House recess until 2:30 o'clock p. m., today.

Mr. James moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion to adjourn, it was lost.

Question then recurring on the motion to recess until 2:00 o'clock p. m., today, it was lost.

Question then recurring on the motion to recess until 2:30 o'clock p. m., today, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—89

Adkins	Bridgers
Alexander	Burton
Alsup	Cagle
Baker	Carssow
Beckworth	Cleveland
Bell	Colquitt
Bond	Davis of Haskell
Boyer	Davison of Fisher
Bradbury	Deglandon

Derden	Mauritz
England	Mays
Farmer	McFarland
Fielden	McKee
Fox	Metcalfe
Fuchs	Monkhouse
Gibson	Morris
Graves	Morse
Hamilton	Oliver
Hanna	Patterson
Harbin	of Travis
Hardin	Petsch
Harrell	Powell
Harris of Archer	Reed of Bowie
Harris of Dallas	Rhodes
Harris of Dickens	Riddle
Herzik	Roark
Holland	Russell
Hoskins	Sewell
Huddleston	Sharpe
Hull	Simpson
Hyder	Smith of Hopkins
Johnson	Smith
of Tarrant	of Matagorda
Jones of Angelina	Stinson
Jones of Wise	Stocks
Keefe	Talbert
Kelt	Tarwater
Kenyon	Tennant
King	Thornberry
Langdon	Thornton
Lankford	Vale
Lanning	Waggoner
Leath	Walker
Leonard	Westbrook
London	Winfree
Lucas	Wood

Nays—30

Amos	Knetsch
Boethel	Little
Broadfoot	Loggins
Brown	McDonald
Callan	Moffett
Davis of Jasper	Nicholson
Davisson	Palmer
of Eastland	Prescott
Dickison	Reed of Dallas
Felty	Rutta
Hankamer	Schuenemann
Hartzog	Settle
Howard	Skaggs
James	Weldon
Johnson of Ellis	Worley
Kern	

Absent

Bates	Jackson
Blankenship	Jones of Atascosa
Bradford	Leyendecker
Celaya	Newton
Dean	Shell
Dollins	Smith of Tarrant
Harper	Tennyson

Absent—Excused

Cathey	McKinney
Cauthorn	Patterson of Mills
Heflin	Pope
Jones of Falls	Quinn
Keith	Ragsdale
Mann	Reader
McConnell	Ross
McCracken	Stevenson

The House, accordingly, at 12:15 o'clock p. m. took recess until 2:30 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:30 o'clock p. m., and was called to order by Mr. Tennyson.

LEAVES OF ABSENCE GRANTED

(By unanimous consent)

Mr. Felty was granted leave of absence temporarily for this afternoon, on account of important business, on motion of Mr. Dickison.

Mr. Nicholson was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Lanning.

TO INSTRUCT ENROLLING CLERK TO MAKE CERTAIN CHANGES IN HOUSE BILL NO. 1

Mr. Leonard offered the following resolution:

H. C. R. No. 18, To instruct Enrolling Clerk to make certain changes in House Bill No. 1.

Whereas, There was passed during the Regular Session of the Forty-fifth Legislature Senate Bill No. 138, which bill made appropriations for the support and maintenance of the Executive and Administrative departments and agencies of the State Government for the two-year period beginning September 1, 1937, and ending August 31, 1939; and

Whereas, Included in the departments for which appropriations were made in said Senate Bill No. 138 was the State Department of Agriculture; and

Whereas, In the past a portion of the funds for the operation of said Department of Agriculture have come from the Texas Racing Fund; and

Whereas, The First Called Session of the Forty-fifth Legislature has repealed the law providing for a pari-

mutuel system of betting at horse races in Texas, from which system funds were derived to be placed in the Texas Racing Fund; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That it is the intention of the Legislature that all appropriations made to the State Department of Agriculture in Senate Bill No. 138, Regular Session Forty-fifth Legislature, shall be paid out of the General Revenue of the State of Texas, except fees derived from laws in effect from September 1, 1937, to August 31, 1939, or during any portion of this period; and, be it further

Resolved, That the Enrolling Clerk of the House be instructed to include in House Bill No. 1, First Called Session, Forty-fifth Legislature, such rider or riders as will accomplish the purpose of this resolution.

LEONARD,
THORNTON.

The resolution was read second time, and was adopted.

MESSAGE FROM THE SENATE

Austin, Texas, June 14, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. C. R. No. 4, Providing for sine die adjournment of the First Called Session of the Forty-fifth Legislature on Wednesday, June 16th, 1937, at 6:00 p. m.

Respectfully,

BOB BARKER,
Secretary of the Senate.

TO PROVIDE FOR APPOINTMENT OF COMMITTEE TO MAKE CERTAIN INVESTIGATION

Mr. Jones of Wise moved to reconsider the vote by which the resolution offered by Mr. Celaya, to provide for appointment of committee to make certain investigation in regard to oil operators, refineries, and pipe line companies, was, on this morning, adopted.

Mr. Celaya asked unanimous consent that certain amendments by Mr. Jones of Wise, Mr. Bradbury and others be adopted to the resolution.

There was objection offered.

Mr. Celava then moved to table the motion by Mr. Jones of Wise to reconsider the vote by which the resolution was adopted.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—43

Adkins	Johnson
Alexander	of Tarrant
Boethel	Kenyon
Callan	Knetsch
Carssow	Leonard
Celaya	Leyendecker
Dickison	Little
Felty	McFarland
Fuchs	McKee
Gibson	Monkhouse
Hankamer	Newton
Harbin	Patterson
Harper	of Travis
Harris of Dallas	Rhodes
Harris of Dickens	Schuenemann
Hartzog	Settle
Herzik	Sewell
Hoskins	Shell
Hyder	Stevenson
Jackson	Tennant
James	Thornton
Johnson of Ellis	Vale
	Winfree

Nays—71

Alsup	Jones of Angelina
Amos	Jones of Wise
Beckworth	Keefe
Bell	Kelt
Blankenship	King
Bond	Langdon
Bradbury	Lankford
Bridgers	Lanning
Broadfoot	Leath
Brown	London
Burton	Lucas
Cagle	Mauritz
Cleveland	Mays
Colquitt	Metcalfe
Davison of Fisher	Moffett
Deglandon	Morris
Derden	Oliver
England	Palmer
Farmer	Petsch
Fielden	Powell
Fox	Prescott
Graves	Reed of Bowie
Hamilton	Reed of Dallas
Hanna	Roark
Hardin	Russell
Harrell	Rutta
Harris of Archer	Sharpe
Holland	Simpson
Huddleston	Skaggs

Smith of Hopkins	Thornberry
Smith	Waggoner
of Matagorda	Walker
Stinson	Weldon
Stocks	Westbrook
Talbert	Wood
Tarwater	Worley

Absent

Bates	Hull
Boyer	Jones of Atascosa
Bradford	Kern
Davis of Haskell	Loggins
Davis of Jasper	McDonald
Davison	Morse
of Eastland	Riddle
Dean	Smith of Tarrant
Dollins	Tennyson
Howard	

Absent—Excused

Baker	McKinney
Cathey	Nicholson
Cauthorn	Patterson of Mills
Heflin	Pope
Jones of Falls	Quinn
Keith	Ragsdale
Mann	Reader
McConnell	Ross
McCracken	

Question then recurring on the motion to reconsider the vote by which the resolution was adopted, it prevailed.

Mr. Jones of Wise offered the following amendment to the resolution:

Amend the resolution, by adding a new paragraph to read as follows:

"Be it further resolved, That no business shall ever be transacted by said committee or any evidence be taken except and unless a quorum of said committee be present, and said committee shall never accept any funds from any source whatsoever except that appropriated herein."

The amendment was adopted.

Mr. Bradbury offered the following amendment to the resolution:

Amend Celaya resolution, adding a new section to read as follows:

"Provided that the committee herein designated shall not approve or endorse the candidacy of any person for public office in this State."

The amendment was adopted.

Mr. Jones of Wise offered the following amendment to the resolution:

Amend the resolution, by adding a new paragraph to read as follows:

"Resolved, That said committee be

directed to report back finally not later than December 31, 1937."

Mr. Thornton offered the following amendment to the amendment by Mr. Jones of Wise:

Amend Jones amendment, by striking out date "December 31, 1937" and insert in lieu thereof the date "March 1st, 1938".

Mr. Jones of Wise moved to table the amendment by Mr. Thornton.

The motion to table prevailed.

Mr. Wood asked unanimous consent of the House, that the above amendment by Mr. Jones of Wise be amended to provide that the committee make its report to the Second Called Session of the Forty-fifth Legislature or not later than December 31st, 1937.

There was no objection offered, and it was so ordered.

The amendment by Mr. Jones of Wise, as amended, was then adopted.

Mr. Jones of Wise offered the following amendment to the resolution:

Amend the resolution, by providing that the investigation shall be conducted by the Joint Legislative Committee previously appointed to study discrimination in market price of crude oil in Texas.

Mr. Celaya moved to table the amendment by Mr. Jones of Wise.

The motion to table was lost.

Question then recurring on the amendment by Mr. Jones of Wise, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—61

Alsup	Fielden
Amos	Fox
Beckworth	Graves
Bell	Hanna
Bradbury	Hardin
Bridgers	Harrell
Brown	Harris of Archer
Burton	Huddleston
Cagle	Jones of Wise
Cleveland	Keefe
Colquitt	Kelt
Davis of Haskell	Kern
Davis of Jasper	King
Davison of Fisher	Langdon
Davisson	Lankford
of Eastland	Leath
Deglandon	London
Derden	Lucas
England	Mauritz
Farmer	Mays

Metcalfe
Morris
Oliver
Palmer
Prescott
Reed of Bowie
Riddle
Roark
Russell
Rutta
Skaggs

Smith of Hopkins
Smith of Tarrant
Stocks
Talbert
Tarwater
Thornberry
Waggoner
Weldon
Westbrook
Wood
Worley

Nays—51

Adkins	Knetsch
Alexander	Lanning
Boethel	Leonard
Bond	Leyendecker
Boyer	Little
Carssow	McFarland
Celaya	McKee
Dickison	Moffett
Fuchs	Monkhouse
Gibson	Newton
Hamilton	Patterson
Hankamer	of Travis
Harbin	Powell
Harper	Reed of Dallas
Harris of Dallas	Rhodes
Harris of Dickens	Schuenemann
Hartzog	Settle
Holland	Sewell
Hoskins	Shell
Hyder	Simpson
Jackson	Smith
James	of Matagorda
Johnson of Ellis	Tennant
Johnson	Thornton
of Tarrant	Vale
Jones of Angelina	Walker
Kenyon	Winfree

Present—Not Voting

Broadfoot Herzik

Absent

Bates	Jones of Atascosa
Blankenship	Loggins
Bradford	McDonald
Callan	Morse
Dean	Petsch
Dollins	Sharpe
Howard	Stinson
Hull	Tennyson

Absent—Excused

Baker	McConnell
Cathey	McCracken
Cauthorn	McKinney
Felty	Nicholson
Heflin	Patterson of Mills
Jones of Falls	Pope
Keith	Quinn
Mann	Ragsdale

Reader
Ross

Stevenson

Mr. Jones of Wise moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

Mr. Hanna moved to postpone further consideration of the resolution until 11:00 o'clock a. m., next June 26.

The motion to postpone the resolution prevailed.

Mr. Hanna moved to reconsider the vote by which the motion to postpone the resolution prevailed, and to table the motion to reconsider.

The motion to table prevailed.

ADDRESS BY HON. TOM CONNALLY

Mr. Petsch offered the following resolution:

Whereas, The Honorable Tom Connally, distinguished United States Senator from Texas, and one of the greatest Statesmen, is without the Bar of the House; therefore, be it

Resolved, That our distinguished guest be invited to address the House on any subject he may see fit to discuss.

PETSCH,
GRAVES,
MORRIS,
BRADBURY.

The resolution was read second time, and was adopted.

In accordance with the above action, the Chair announced the appointment of the following committee to escort the Hon. Tom Connally to the Speaker's stand: Messrs. Petsch, Graves, Morris, Bradbury and Derden.

The committee having performed their duty the Chair presented Mr. Derden.

Mr. Derden then introduced the Hon. Tom Connally, who addressed the House.

SENATE BILL NO. 3 ON SECOND READING

Mr. Davison of Fisher moved that all necessary House Rules be suspended for the purpose of considering at this time,

S. B. No. 3, A bill to be entitled "An Act making it unlawful to bet or wager money or anything of value upon any dog race, or upon the

result of any race, speed, skill or endurance contest between dogs, to be run or held in this State or elsewhere; providing a penalty and declaring an emergency."

The motion prevailed by the following vote:

Yeas—96

Adkins	Kern
Alexander	King
Alsup	Knetsch
Amos	Langdon
Beckworth	Lankford
Bell	Lanning
Blankenship	Leath
Boethel	Leonard
Boyer	Little
Bradbury	London
Bridgers	Lucas
Brown	Mauritz
Burton	McFarland
Cagle	Metcalfe
Carssow	Moffett
Celaya	Monkhouse
Cleveland	Morris
Davis of Haskell	Newton
Davis of Jasper	Patterson
Davison of Fisher	of Travis
Deglandon	Petsch
Derden	Powell
England	Prescott
Farmer	Reed of Bowie
Felty	Roark
Fox	Russell
Fuchs	Rutta
Gibson	Schuenemann
Graves	Settle
Hamilton	Sewell
Hankamer	Shell
Harbin	Simpson
Hardin	Smith of Hopkins
Harper	Smith
Harris of Archer	of Matagorda
Hartzog	Smith of Tarrant
Herzik	Stinson
Holland	Stocks
Hoskins	Talbert
Howard	Tarwater
Huddleston	Tennyson
Hyder	Thornberry
Jackson	Thornton
James	Vale
Johnson of Ellis	Walker
Jones of Angelina	Weldon
Jones of Atascosa	Westbrook
Jones of Wise	Wood
Kelt	Worley

Nays—15

Broadfoot	Hanna
Colquitt	Harrell
Dickison	Harris of Dallas
Fielden	Kenyon

Leyendecker
Mays
Morse
Reed of Dallas

Sharpe
Tennant
Winfree

Absent

Bates
Bond
Bradford
Callan
Davisson
of Eastland
Dean
Dollins
Harris of Dickens
Hull
Johnson
of Tarrant

Keefe
Loggins
McDonald
McKee
Oliver
Palmer
Rhodes
Riddle
Skaggs
Waggoner

Absent—Excused

Baker
Cathey
Cauthorn
Heflin
Jones of Falls
Keith
Mann
McConnell
McCracken

McKinney
Nicholson
Patterson of Mills
Pope
Quinn
Ragsdale
Reader
Ross
Stevenson

Mr. Davison of Fisher moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 3 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103

Adkins
Alexander
Alsup
Anos
Beckworth
Bell
Blankenship
Boethel
Boyer
Bradbury
Bridgers
Brown
Burton
Cagle
Carssow
Celaya
Cleveland
Davis of Haskell
Davis of Jasper
Davison of Fisher
Deglandon
Derden
Dickison

England
Farmer
Fox
Fuchs
Gibson
Graves
Hamilton
Hankamer
Harbin
Hardin
Harper
Harris of Archer
Harris of Dickens
Hartzog
Herzik
Holland
Hoskins
Howard
Huddleston
Hyder
Jackson
James
Johnson of Ellis

Jones of Angelina
Jones of Atascosa
Jones of Wise
Kelt
Kern
King
Knetsch
Langdon
Lankford
Lanning
Leath
Leonard
Leyendecker
Little
Loggins
London
Lucas
Mauritz
McDonald
McFarland
Metcalf
Moffett
Monkhouse
Morris
Newton
Oliver
Patterson
of Travis
Petsch
Powell

Prescott
Reed of Bowie
Rhodes
Riddle
Roark
Russell
Rutta
Schuenemann
Settle
Sewell
Simpson
Smith of Hopkins
Smith
of Matagorda
Smith of Tarrant
Stinson
Stocks
Talbert
Tarwater
Tennyson
Thornberry
Thornton
Vale
Waggoner
Walker
Weldon
Westbrook
Wood
Worley

Nays—14

Broadfoot
Colquitt
Fielden
Hanna
Harrell
Johnson
of Tarrant
Kenyon

Mays
McKee
Morse
Reed of Dallas
Sharpe
Tennant
Winfree

Absent

Bates
Bond
Bradford
Callan
Davisson
of Eastland
Dean

Dollins
Harris of Dallas
Hull
Keefe
Palmer
Shell
Skaggs

Absent—Excused

Baker
Cathey
Cauthorn
Felty
Heflin
Jones of Falls
Keith
Mann
McConnell
McCracken

McKinney
Nicholson
Patterson of Mills
Pope
Quinn
Ragsdale
Reader
Ross
Stevenson

The Chair then laid Senate Bill No. 3 before the House, on its second reading and passage to third reading.

The bill was read second time.

Mr. Davison of Fisher offered the following amendment to the bill:

Amend Senate Bill No. 3, by striking out all below the enacting clause and insert in lieu thereof the following:

"Section 1. That Article 624, Penal Code of the State of Texas, 1925, be and the same is hereby amended so as to hereafter read as follows:

"Article 624—Miscellaneous Betting.

If any person shall bet or wager any money or anything of value upon any race by or between dogs or if any person shall bet or wager at any gaming table or bank or shall bet or wager any money or other thing of value at any of the following games, viz: muggins, crack-loo, crack-or-loo, or the game of matching money or coins of any denomination for such coins or for any other thing of value, or at any table or bank, by whatsoever name the same may be known, or whether named or not, and without reference as to how the same may be played, constructed or operated, or shall bet or wager upon anything in any place where people resort for the purpose of betting or wagering, he shall be fined not exceeding Fifty Dollars. When it is alleged and proven that the betting was on any gaming table or bank, the court or jury may, in addition to said fine, impose a jail penalty of not less than ten nor more than thirty days.

"Sec. 2. That Article 625, Penal Code of the State of Texas, 1925, be and the same is hereby amended so as to hereafter read as follows:

"Article 625—Keeping.

If any person shall keep, or be in any manner interested in keeping any premises, for the purpose of dog racing upon which any money or anything of value is being bet on same premises, or if any person shall keep, or be in any manner interested in keeping any premises, building, room or place for the purpose of being used as a place to bet or wager, or to gamble with cards, dice or dominoes, or to keep or to exhibit for the purpose of gambling any bank, table, alley, machine, wheel, or device whatsoever, or as a place where people resort to gamble, bet or wager upon anything whatever, he shall be confined in the penitentiary not less than one (1) nor more than five (5) years,

or by confinement in the county jail for any term not less than ten (10) days nor more than one (1) year and by fine not less than One Hundred (\$100.00) Dollars nor more than One Thousand (\$1,000.00) Dollars, regardless of whether any of the above mentioned games, tables, banks, alleys, machines, wheels or devices are licensed by law or not. Any place or device shall be considered as used for gaming or to gamble with or for betting or wagering, if any money or anything of value is bet thereon or if the same is resorted to for the purpose of gaming or betting. To constitute the offense herein set forth, it shall not be necessary that the premises, room or place be used primarily or principally for the purposes herein before named.

"Sec. 3. The fact that there is now no law in Texas prohibiting the betting and wagering on dog races or the keeping of places for the purpose of betting on dog races creates an emergency and imperative public necessity demanding that the constitutional rule requiring bills to be read on three (3) several days in each House be suspended, and said rule is hereby suspended, and that this Act shall take effect and be enforced from and after its passage, and it is so enacted."

DAVISON of Fisher,
HARRELL,
PETSCH,
THORNBERRY,
AMOS,
HEFLIN,
GRAVES.

Mr. Burton offered the following amendment to the amendment by Mr. Davison of Fisher:

Amend amendment to Senate Bill No. 3, by striking out the word "enforced" in line 36, page 2, and inserting in lieu thereof the following "in full force".

BURTON,
DAVISON of Fisher.

The amendment by Mr. Burton was adopted.

Mr. Harris of Dallas offered the following amendment to the amendment by Mr. Davison of Fisher:

Amend amendment, by striking out the words "its passage" on line 37, page 2, and inserting in lieu thereof "September 1, 1937".

Mr. Blankenship moved the previous question on the pending amendments, and the passage of the bill to third

reading, and the motion was not seconded.

Mr. Davison of Fisher moved to table the amendment by Mr. Harris of Dallas.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—76

Adkins	Jones of Wise
Alexander	Kern
Alsop	King
Amos	Langdon
Beckworth	Lankford
Boethel	Lanning
Bradbury	Leath
Broadfoot	London
Brown	Lucas
Burton	Mauritz
Cagle	Mays
Cathey	Metcalfe
Cleveland	Moffett
Davis of Haskell	Morris
Davis of Jasper	Oliver
Davison of Fisher	Palmer
Davison	Petsch
of Eastland	Powell
Deglandon	Prescott
Derden	Reed of Bowie
Dickison	Rhodes
Fox	Roark
Fuchs	Russell
Gibson	Rutta
Graves	Sewell
Hamilton	Sharpe
Harbin	Simpson
Hardin	Smith of Hopkins
Harper	Smith
Harrell	of Matagorda
Harris of Archer	Smith of Tarrant
Harris of Dickens	Stocks
Holland	Talbert
Hoakins	Tarwater
Howard	Thornberry
Huddleston	Weldon
Hyder	Westbrook
Johnson of Ellis	Wood
Jones of Angelina	Worley

Nays—37

Bell	James
Blankenship	Johnson
Boyer	of Tarrant
Carasow	Kelt
Celaya	Kenyon
Colquitt	Knetsch
England	Loggins
Fielden	McDonald
Hankamer	McFarland
Hanna	McKee
Harris of Dallas	McKinney
Hartzog	Monkhouse

Morse	Stinson
Newton	Tennant
Patterson	Thornton
of Travis	Vale
Reed of Dallas	Waggoner
Riddle	Walker
Schuenemann	Winfree
Stevenson	

Present—Not Voting

Herzik

Absent

Bates	Jones of Atascosa
Bond	Keefe
Bradford	Leonard
Bridgers	Leyendecker
Calian	Little
Dean	Settle
Dollins	Shell
Farmer	Skaggs
Hull	Tennyson
Jackson	

Absent—Excused

Baker	McCracken
Cauthorn	Nicholson
Felty	Patterson of Mills
Heflin	Pope
Jones of Falls	Quinn
Keith	Ragsdale
Mann	Reader
McConnell	Ross

Mr. Derden offered the following amendment to the amendment by Mr. Davison of Fisher:

Amend amendment No. 1 to Senate Bill No. 3, by adding a new section to be known as Section 3, to read as follows:

"Following the enactment of this Act, the State Government nor any political subdivision shall collect a tax or license fee nor shall any permit be issued by the State Government to any political subdivision for the keeping, and/or operation of any bank, table, alley, machine, wheel, or devise whatsoever to which people may resort to gamble."

Mr. Davison of Fisher raised a point of order, on further consideration of the amendment, on the ground that the amendment is not germane to the caption of the bill because it attempts to amend an existing law by reference.

The Chair sustained the point of order.

Mr. Kenyon offered the following amendment to the amendment by Mr. Davison of Fisher:

Amend amendment to Senate Bill No. 3. as follows, by striking out on page one the following, in line 38, "where people resort for the purpose of betting or wagering."

Mr. Broadfoot moved to table the amendment by Mr. Kenyon.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—54

Adkins	Jones of Atascosa
Alsup	Jones of Wise
Amos	Kern
Beckworth	King
Bell	Langdon
Blankenship	Lanning
Boethel	Leath
Bond	London
Boyer	Metcalfe
Bradbury	Moffett
Bridgers	Morris
Broadfoot	Nicholson
Brown	Oliver
Burton	Petsch
Cagle	Powell
Cleveland	Rhodes
Davison of Fisher	Roark
Deglandon	Smith of Hopkins
Perden	Smith
England	of Matagorda
Fielden	Stinson
Fuchs	Stocks
Gibson	Talbert
Hamilton	Tarwater
Hardin	Tennant
Harris of Archer	Thornberry
Holland	Wood
Jones of Angelina	

Nays—61

Alexander	Hyder
Callan	Jackson
Celaya	James
Colquitt	Johnson of Ellis
Davis of Haskell	Johnson
Davis of Jasper	of Tarrant
Davisson	Kelt
of Eastland	Kenyon
Dickison	Lankford
Fox	Leyendecker
Graves	Little
Hankamer	Loggins
Hanna	Lucas
Harbin	Mays
Harper	McDonald
Harrell	McFarland
Harris of Dallas	McKee
Harris of Dickens	McKinney
Hartzog	Monkhouse
Hull	Morse

Newton	Sharpe
Patterson	Shell
of Travis	Simpson
Prescott	Skaggs
Reed of Bowie	Stevenson
Reed of Dallas	Thornton
Riddle	Vale
Russell	Waggoner
Rutta	Walker
Schuenemann	Westbrook
Settle	Winfree
Sewell	Worley

Present—Not Voting

Palmer

Absent

Bates	Howard
Bradford	Huddleston
Carssow	Keefe
Cathey	Knetsch
Dean	Leonard
Dollins	Mauritz
Farmer	Smith of Tarrant
Herzik	Tennyson
Hoskins	Weldon

Absent—Excused

Baker	McCracken
Cauthorn	Patterson of Mills
Felty	Pope
Heflin	Quinn
Jones of Falls	Ragsdale
Keith	Reader
Mann	Ross
McConnell	

Question then recurring on the amendment by Mr. Kenyon, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—67

Alexander	Herzik
Celaya	Hoskins
Colquitt	Howard
Davis of Haskell	Huddleston
Davis of Jasper	Hull
Davisson	Hyder
of Eastland	Jackson
Dickison	James
Fox	Johnson of Ellis
Fuchs	Johnson
Gibson	of Tarrant
Graves	Jones of Wise
Hankamer	Keefe
Hanna	Kelt
Harbin	Kenyon
Harper	Knetsch
Harrell	Lankford
Harris of Dallas	Leyendecker
Harris of Dickens	Little
Hartzog	Loggins

Lucas	Riddle
Mays	Settle
McDonald	Sewell
McFarland	Sharpe
McKee	Shell
McKinney	Simpson
Morris	Skaggs
Morse	Smith of Hopkins
Newton	Stevenson
Palmer	Thornton
Patterson	Vale
of Travis	Waggoner
Prescott	Walker
Reed of Bowie	Winfree
Reed of Dallas	Worley

Nays—57

Adkins	King
Alsup	Langdon
Amos	Lanning
Beckworth	Leath
Bell	Leonard
Blankenship	London
Boethel	Mauritz
Bond	Metcalfe
Boyer	Moffett
Bradbury	Nicholson
Bridgers	Oliver
Broadfoot	Petsch
Brown	Powell
Burton	Rhodes
Cagle	Roark
Cathey	Russell
Cleveland	Schuenemann
Davison of Fisher	Smith
Deglandon	of Matagorda
Derden	Smith of Tarrant
England	Stinson
Fielden	Stocks
Hamilton	Talbert
Hardin	Tarwater
Harris of Archer	Tennant
Holland	Thornberry
Jones of Angelina	Weldon
Jones of Atascosa	Westbrook
Kern	Wood

Absent

Bates	Dollins
Bradford	Farmer
Callan	Monkhouse
Carssow	Rutta
Dean	Tennyson

Absent—Excused

Baker	McCracken
Cauthorn	Patterson of Mills
Felty	Pope
Heflin	Quinn
Jones of Falls	Ragsdale
Keith	Reader
Mann	Ross
McConnell	

Mr. Kenyon moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 62; Nays, 60.

Mr. Davison of Fisher requested a verification of the vote.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—60

Adkins	Leyendecker
Alexander	Little
Celaya	Loggins
Colquitt	Lucas
Davis of Haskell	Mays
Davisson	McDonald
of Eastland	McFarland
Dickison	McKee
Fuchs	McKinney
Gibson	Morse
Graves	Newton
Hankamer	Patterson
Hanna	of Travis
Harbin	Prescott
Harper	Reed of Bowie
Harrell	Reed of Dallas
Harris of Dallas	Riddle
Harris of Dickens	Russell
Hartzog	Settle
Herzik	Sewell
Hoskins	Sharpe
Hyder	Simpson
Jackson	Skaggs
James	Smith of Hopkins
Johnson of Ellis	Stevenson
Johnson	Thornton
of Tarrant	Vale
Jones of Wise	Waggoner
Kelt	Walker
Kenyon	Winfree
Knetsch	Wood
Lankford	

Nays—61

Alsup	Cagle
Amos	Cathey
Beckworth	Cleveland
Bell	Davison of Fisher
Blankenship	Deglandon
Boethel	Derden
Bond	England
Boyer	Fielden
Bradbury	Fox
Bridgers	Hamilton
Broadfoot	Hardin
Brown	Harris of Archer
Burton	Holland

Jones of Angelina	Petsch
Jones of Atascosa	Powell
Keefe	Rhodes
Kern	Roark
King	Schuenemann
Langdon	Shell
Lanning	Smith
Leath	of Matagorda
Leonard	Smith of Tarrant
London	Stinson
Mauritz	Stocks
Metcalf	Talbert
Moffett	Tarwater
Monkhouse	Tennant
Morris	Thornberry
Nicholson	Weldon
Oliver	Westbrook
Palmer	Worley

Absent

Bates	Farmer
Bradford	Howard
Callan	Huddleston
Carssow	Hull
Davis of Jasper	Rutta
Dean	Tennyson
Dollins	

Absent—Excused

Baker	McCracken
Cauthorn	Patterson of Mills
Felty	Pope
Heflin	Quinn
Jones of Falls	Ragsdale
Keith	Reader
Mann	Ross
McConnell	

The Chair announced that the motion to table was lost.

Question then recurring on the motion to reconsider the vote by which the amendment by Mr. Kenyon was adopted, yeas and nays were demanded.

The motion to reconsider was lost by the following vote:

Yeas—51

Amos	Davison of Fisher
Beckworth	Deglandon
Bell	Derden
Blankenship	England
Boethel	Fielden
Bond	Hamilton
Bradbury	Hardin
Bridgers	Harris of Archer
Broadfoot	Holland
Brown	Howard
Burton	Huddleston
Cathey	Jones of Angelina
Cleveland	Jones of Atascosa
Davis of Jasper	Keefe

Kern	Roark
King	Smith
Langdon	of Matagorda
Lanning	Smith of Tarrant
Leonard	Stinson
London	Stocks
Mauritz	Talbert
Metcalf	Tarwater
Moffett	Tennant
Oliver	Thornberry
Petsch	Weldon
Powell	Westbrook

Nays—65

Adkins	Loggins
Alexander	Lucas
Celaya	Mays
Colquitt	McDonald
Davis of Haskell	McFarland
Davison	McKee
of Eastland	McKinney
Dickison	Monkhouse
Fuchs	Morse
Gibson	Newton
Graves	Nicholson
Hankamer	Palmer
Hanna	Patterson
Harbin	of Travis
Harper	Reed of Bowie
Harrell	Reed of Dallas
Harris of Dallas	Rhodes
Harris of Dickens	Riddle
Hartzog	Russell
Herzik	Schuenemann
Hoskins	Settle
Hull	Scwell
Hyder	Sharpe
Jackson	Shell
James	Simpson
Johnson of Ellis	Smith of Hopkins
Johnson	Stevenson
of Tarrant	Thornton
Jones of Wise	Vale
Kelt	Waggoner
Kenyon	Walker
Lankford	Winfree
Leyendecker	Wood
Little	Worley

Absent

Alsup	Farmer
Bates	Fox
Boyer	Knetsch
Bradford	Leath
Cagle	Morris
Callan	Reader
Carssow	Rutta
Dean	Skaggs
Dollins	Tennyson

Absent—Excused

Baker	Heflin
Cauthorn	Jones of Falls
Felty	Keith

Mann
McConnell
McCracken
Patterson of Mills
Pope

Prescott
Quinn
Ragsdale
Ross

Question—Shall the amendment by Mr. Davison of Fisher be adopted?

ADJOURNMENT

Mr. Smith of Hopkins moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Metcalfe moved that the House recess until 10:00 o'clock a. m., tomorrow.

The motion to adjourn prevailed, and the House, accordingly, at 5:25 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The Committee on Criminal Jurisprudence filed favorable reports on bills, as follows:

House Bills Nos. 8 and 11; Senate Bills Nos. 2 and 3.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, June 14, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 9, Fixing the effective date of Senate Bill No. 185, Regular Session of the Forty-fifth Legislature.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 14, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 10, Urging James V. Allred, Governor of this State, to submit for consideration at this, the First Called Session of the Forty-fifth Legislature, the subject of the regulation of private commercial carrier motor vehicles.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 14, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 14, Granting Judge Terry Dickens permission to be absent from the State.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 14, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 15, Granting Judge Alton B. Chapman permission to be absent from the State.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 14, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 16, Inviting Dr. F. W. Kratz to address a Joint Session of the Legislature.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

TENTH DAY

(Tuesday, June 15, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Mr. Mauritz.

The roll of the House was called, and the following Members were present:

Adkins
Alexander
Alsup
Amos
Baker
Beckworth
Bell
Blankenship
Boethel
Bond
Boyer
Bradbury
Bridgers

Broadfoot
Brown
Burton
Callan
Carssow
Cathey
Cauthorn
Celaya
Cleveland
Colquitt
Davis of Haskell
Davis of Jasper
Davison of Fisher